

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 9, 2009

DIVISION ONE

[illegible]

The judgment is affirmed.

Mallano, P.J.

We concur: Rothschild, J.
Johnson, J.

B216331 People (Not for Publication)
v.
McMahon

The judgment is affirmed.

Mallano, P.J.

We concur: Chaney, J.
Johnson, J.

DIVISION TWO

B208853 People v. Oden (Not for Publication)

The judgment is modified to impose two 5-year enhancements pursuant to section 667, subdivision (a)(1) in count 19. The 10-year firearm enhancement imposed in count 18 pursuant to section 12022.53, subdivision (b) is reversed. In all other respects the judgment is affirmed. Appellant's total prison term remains the same. The superior court is directed to correct the abstract of judgment to reflect the modifications and to forward an amended abstract to the Department of Corrections and Rehabilitation.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

B212822 People (Not for Publication)
v.
Serrano

Insofar as the probation order may be said to have a condition regarding probation officer approval of appellant's place of residence, it is stricken from the probation order. In all other respects, the judgment (order granting probation) is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

DIVISION TWO (continued)

[illegible]

The Court:

The judgment is affirmed.

Boren, P.J., Doi Todd, J., Ashmann-Gerst, J.

B208460 People (Not for Publication)
v.
Guerra, et al.

The judgment is modified in Guerra's case to strike the 10-year gang enhancement that the trial court imposed and stayed. In all other respects the judgments in the cases of both Guerra and Robles are affirmed. The superior court is directed to correct the abstract of judgment in Robles's case to delete the enhancement under section 186.22, subdivision (b)(1)(C) that is currently shown and to correct the amount of restitution owed. Guerra's abstract of judgment must be amended to show that his restitution is to be paid jointly and severally with his codefendants. The superior court is to forward the corrected abstracts to the Department of Corrections and Rehabilitation.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

DIVISION TWO (continued)

B214253 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Robert C.

The appeal is dismissed.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

B206530 Haroonian (Not for Publication)
B210368 v.
 Harooni

In appeal No. B206530, the order denying appellant's motion to change minors' counsel is affirmed. In appeal No. B209765, the order directing appellant to pay arrearages is affirmed. In appeal No. B210368, the order dismissing appellant's complaint is affirmed. In appeal No. B212162, the order awarding attorney fees is affirmed. We impose sanctions of \$1,000 on appellant Cyrus Haroonian, payable to the clerk of the Court of Appeal for filing frivolous appeals. The sanctions shall be paid no later than 15 days after the remittitur is filed. Cyrus Haroonian is declared a vexatious litigant and may not file any new litigation in the courts of this state without first obtaining leave of the presiding judge of the court in which he proposes to file the litigation. (§ 391.7, subds. (a)-(b).) Before filing any appeals or writ petitions in the Court of Appeal, Cyrus Haroonian must seek leave from the Administrative Presiding Justice. All pending appeals filed by Haroonian in this court are stayed, and Haroonian shall have 15 days from the filing date of this opinion to request an order from the Administrative Presiding Justice allowing the continuation of any pending appeals. Disobedience of this order may be punished as a contempt of court. (§ 391.7, subd. (a).) The clerk of this court is directed to provide a copy of this opinion to the Judicial Council. (§ 391.7, subd. (e).) A copy shall also be provided to the Presiding Judge of the Los Angeles Superior Court.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

DIVISION TWO (continued)

B209803 Fireman's Fund Insurance Co. et al. (Not for Publication)
v.
TF 1 International

The judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

B214738 Los Angeles County, D.C.F.S (Not for Publication)
v.
G.R.

The order terminating parental rights is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

DIVISION THREE

B207010 Weight (Not for Publication)
v.
Louis Campanelli, et al.

The judgment is reversed, and the matter is remanded with directions for the trial court to conduct a prove-up hearing in which it will hear plaintiff's evidence, and if it determines that plaintiff has established a prima face case for her damages, will then enter a default judgment for plaintiff. Costs on appeal are awarded to plaintiff Nicole Weight.

Kitching, J.

We concur: Klein, P.J.
 Croskey, J.

DIVISION THREE (continued)

B203121 Great American Insurance Company (Certified for Publication)

v.

Superior Court, Los Angeles County

(Angeles Chemical Company, Inc., et al., r.p.i.)

The petition is granted. The trial court is directed to vacate its order staying the proceedings in the declaratory relief action, and to reconsider the motion in a manner consistent with the views expressed in this opinion. Great American shall recover its costs in connection with this proceeding.

Croskey, J.

We concur: Klein, P.J.
 Aldrich, J.

DIVISION FIVE

Court convened at 9:00 a.m.

Present: Turner, P.J., Armstrong, J., Kriegler, J., D. Nolan and J. Belcher, Deputy Clerks.

Each of the following:

B208033 Alexeenko v. CIT Group

B217843 People v. Ocampo

B209510 People v. Williams

B207805 People v. Haile

Argument waived, cause submitted.

B209310 People

v.

Andrew Halperin

Merits:

Argued by Kathleen M. Redmond for appellant and by Robert C.

Schneider, Deputy Attorney General for respondent. Cause submitted.

DIVISION FIVE (continued)

B212915 Newport Beach Chabad Center
 v.
 Myles Hymes

Merits:

Oral argument was limited to respondent's motion to dismiss. Argued by Stephanie Alexander for appellant and by David Nelson for respondent. Cause submitted.

B208389 Laverne Hines
 v.
 Los Angeles County Metropolitan Transportation Authority

Merits:

Argued by Kelly Horwitz for appellant and by Barbara Perry for respondent. Cause submitted.

B209938 Thompson Pacific Construction, Inc.,
 v.
 Los Angeles Unified School District

Merits:

Argued by Jeffrey F. Kagan for appellant and by Craig E. Guenther for respondent. Cause submitted.

B210637 Kenny/Shea/Traylor/Frontier-Kemper
 v.
 City of Los Angeles

Merits:

Argued by Patrick J. Duffy III for appellant and by Adena M. Hadar, Deputy City Attorney for respondent. Cause submitted.

DIVISION FIVE (continued)

B211271 Estate of Rene Banayot
 Autina Gharibian
 v.
 Irene Gareeb

Merits:

Argued by Michael H. Lapidus for appellant and by Vivian L. Thoreen for respondent. Cause submitted.

B214032 Alfonso Maldonado
 v.
 Los Angeles County Metropolitan Transportation Authority

Merits:

Argued by Eduardo Montelongo, Senior Deputy County Counsel for appellant and by Robert Scuderi for respondent. Cause submitted.

B212245 Dennis Michael
 v.
 Tina Kaloustian, et al

Merits:

Argued by Danny Morin and Christopher Leonard for appellants and by Philip Dyson for respondents. Cause submitted.

Court recessed.

Court reconvened at 11:32 a.m.

Present: Turner, P.J., Armstrong, J., Flier, J. (assigned), and J. Belcher, Deputy Clerk.

DIVISION FIVE (continued)

B212797 Justin Ringgold-Lockhart
 v.
 Myer Sankary
 Andre-Paul Summers Chaussier

Motion to Dismiss:
Argued by Nina Ringgold for appellant and by Mary Apanius for
respondents. Matter submitted.

Court recessed.

Court reconvened at 11:47 a.m.

Present: Turner, P.J., Armstrong, J., Mosk, J., and J. Belcher, Deputy Clerk.

B205763 City of Los Angeles
 v.
 Lloyd Conway

Merits:
Argued by Bruce Adelstein for appellant and by Lisa Berger, Deputy City
Attorney, for respondent. Cause submitted.

Court recessed.

Court reconvened at 12:05 p.m.

Present: Armstrong, Acting P.J., Mosk, J., Kriegler, J., and J. Belcher and D. Nolan,
Deputy Clerks

DIVISION FIVE (continued)

Each of the following:

B217693 DCFS v. D.A.
B213573 People v. Hernandez
B212772 People v. Alonzo
B211003 People v. Foreman
B211830 People v. Jones
B211979 People v. Perez

Argument waived, cause submitted.

B212803 Nejadpour & Associates
 v.
 Gonzales

Matter continued to November 5, counsel directed to file briefs re standing of the law firm of Nejadpour & Associates.

B211244 People
 v.
 A.R.

Merits:
Argued by Courtney Selan for appellant and by David Zarmi, Deputy Attorney General, for respondent. Cause submitted.

B213955 Danielle Cook
 v.
 Gallade Chemical

Merits:
Argued by Sarah Hodgson for appellants and by Peter Schnaitman and Melinda Cantrell for respondents. Cause submitted.

DIVISION FIVE (continued)

B207553 10700 Rangeline Road, LLC
 v.
 Leatrice F. Baptiste

Merits:
Argued by Benjamin Robinson for appellant and by Benjamin Kiss for
respondent. Cause submitted.

B208699 Kim Seng Company
 v.
 Great American Insurance Co. of New York

Merits:
Argued by Mark Leon Sutton for appellant and by Agelo Reppas for
respondent. Cause submitted.

B211501 Jeng Cheng Ho
 v.
 Shih-Ming Hsieh

Merits:
Argued by Matthew H. Poppe for appellant and by John C. O'Malley for
respondent. Cause submitted.

Court adjourned.

B216424 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 D.W.

The judgment is affirmed.

Mosk, J.

We concur: Turner, P.J.
 Kriegler, J.

October 9, 2009 (Continued)

DIVISION EIGHT

B207856 People
 v.
 Gonzalez & Ortiz

Filed order vacating submission order of July 21, 2009.